

Under the provisions of Section 413.031 of the Texas Workers' Compensation Act, Title 5, Subtitle A of the Texas Labor Code, effective June 17, 2001 and Commission Rule 133.305, titled Medical Dispute Resolution-General, and 133.307, titled Medical Dispute Resolution of a Medical Fee Dispute, a review was conducted by the Division regarding a medical fee dispute between the requestor and the respondent named above. This dispute was received on 6/9/03.

### **I. DISPUTE**

Whether there should be reimbursement for fluoroscopy - 76000-27 and sterile needle – A4215, both denied by the respondent as being global to another billed procedure.

### **II. RATIONALE**

Surgery Ground Rule V. (B)(1) states “Sterile trays (which include all supplies, gloves, utensils, needles, suture material, etc., needed to perform the procedure). The disputed needle should have been included in the sterile tray items. On this basis, reimbursement for this services is not recommended.

Per Advisory 97-01, “If a health care provider believes fluoroscopic assistance (fluoroscope) is medically necessary when performing an injection on a particular patient, and it is not included in the procedure, the provider shall bill the appropriate CPT code for the injection and the appropriate CPT code for the fluoroscopic assistance.” The medical report, dated 6/27/02, indicates that the treating doctor stated that the fluoroscope was medically necessary to properly site the injection. On this basis, reimbursement of the fluoroscope is recommended.

### **III. DECISION & ORDER**

Based upon the review of the disputed healthcare services within this request, the Division has determined that the requestor **is** entitled to reimbursement for fluoroscopy - 76000-27 in the amount of **\$100.00**. Pursuant to Sections 402.042, 413.016, 413.031, and 413.019 the Division hereby ORDERS the Respondent to remit **\$100.00** plus all accrued interest due at the time of payment to the Requestor within 20 days receipt of this Order.

The above Findings, Decision and Order are hereby issued this 14<sup>th</sup> day of January 2004.

Noel L. Beavers  
Medical Dispute Resolution Officer  
Medical Review Division

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